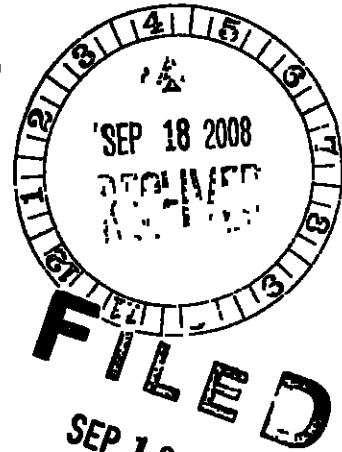


223640



BEFORE THE
SURFACE TRANSPORTATION BOARD
Washington, DC

DOCKET NO. AB-6 (SUB-NO. 465X)
BNSF RAILWAY COMPANY
ABANDONMENT EXEMPTION IN KING COUNTY, WASHINGTON
(Woodinville Subdivision Milepost 11.25 to Milepost 23.80)

SEP 18 2008
SURFACE
TRANSPORTATION BOARD

REQUEST OF KING COUNTY, WASHINGTON
FOR INTERIM TRAIL USE PURSUANT TO 49 CFR 1152.29

FEE RECEIVED

SEP 18 2008
SURFACE
TRANSPORTATION BOARD

Communications with respect to this document should be addressed to:

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Attorneys for King County,
Washington

Dated: September 18, 2008

Before the Surface Transportation Board

STB Docket No. AB-6 (Sub-No. 465X)

**BNSF Railway Company
Abandonment Exemption in King County, WA
(Woodinville Subdivision Milepost 11.25 to Milepost 23.80)**

**Request of King County, Washington
For Interim Trail Use Pursuant to 49 CFR 1152.29**

Pursuant to 49 C.F.R. §1152.29, King County, Washington, a political subdivision of the State of Washington, hereby requests issuance of a Notice of Interim Trail Use with respect to the line segment that is the subject of this proceeding. In accordance with the applicable regulations, King County submits the following Statement of Willingness to Assume Financial Responsibility and other information:

Statement of Willingness to Assume Financial Responsibility:

In order to establish interim trail use and rail banking under 16 U.S.C. §1247(d) and 49 CFR §1152.29, King County, a political subdivision of the State of Washington ("King County") is willing to assume full responsibility for management of, for any potential legal liability arising out of the transfer or use of (unless King County is immune from liability, in which case it need only indemnify BNSF against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by BNSF Railway Company ("BNSF") and operated by BNSF. The property, known as a segment of the Woodinville Subdivision, extends from railroad milepost 11.25 near Wilburton, to railroad milepost 23.80,

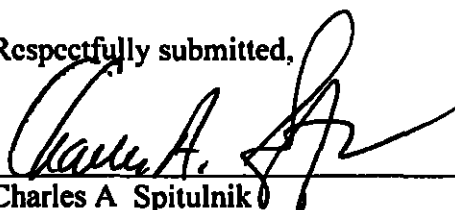
near Woodinville, a distance of 12.55 miles in King County, Washington. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB-6 (Sub-No. 465X).

Other required information:

A map of the property depicting the right of way is attached.

King County acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad on the same date it is being served on the Board.

Respectfully submitted,



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Attorneys for King County, Washington

Dated: September 18, 2008

BNSF Woodinville Subdivision (N. Renton to Snohomish)

Existing Rail Lines and Regional Trails

- Subject Corridor
- Other Regional Rail Lines
- Regional Bike Routes/Trails
- Metropolitan Transportation System
- Abandoned MP 38.25-39.00 (eff. 07/21/2008)
- Abandoned MP 10.60-11.25 (eff. 03/07/2008)
- Abandoned and Sold

0 1.5 3 6 9 Miles

May 31, 2006

Puget Sound Regional Council
PSRC

Abandoned and Sold
* Milepost 39.00 to Milepost 47.11
Abandoned 5/6/1986
* Milepost 47.11 to Milepost 57.36
Abandoned 3/23/1972
* Milepost 39.10 to @57.36 Sold to
Snohomish County

Milepost 39.10 to Milepost 39.26
GNP/Snohomish County lease -- 0.85 mile from
end of national rail system at Milepost 38.25

End of Freight Portion
MP 38.25

* Milepost 38.25 to Milepost 39.00
Abandoned 07/21/08
* Sale of real estate to City of Snohomish
(MP 38.25 to MP 39.10) soon to close

Beginning of AB-6 (Sub-No. 463X)
Milepost 0.00

End of AB-6 (Sub-No. 463X)
Milepost 7.30

Beginning of Freight Portion
Milepost 23.80

End of AB-6 (Sub-No. 465X)
Milepost 23.80

Wilburton Tunnel
Section
MP 10.60 to MP 11.25

Beginning of AB-6 (Sub-No. 465X)
Milepost 11.25

End of AB-6 (Sub-No. 464X)
Milepost 10.60

Beginning of AB-6 (Sub-No. 464X)
Milepost 5.00

Kitsap

King

Pierce

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused to be served a copy of the foregoing
REQUEST OF KING COUNTY, WASHINGTON, FOR INTERIM TRAIL USE PURSUANT
TO 49 CFR 1152.29 to be served by first class mail, postage prepaid upon the following:

Kristy D. Clark
General Attorney
BNSF Railway Company
2500 Lou Menck Drive – AOB3
Ft. Worth, TX 76131

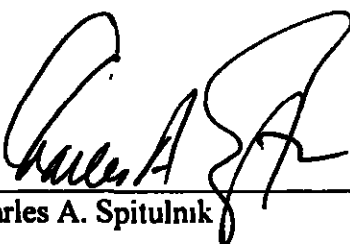
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Dated this 18th day of September, 2008.



Charles A. Spitulnik

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